

FAMILIES OF PAN-AM 103 LOCKERBIE,
Coral Gables, FL, December 13, 1995.
 Re H.R. 1710/sub/H.R. 2703 counter-terrorism
 legislation.

Hon. CHARLES SCHUMER,
House Judiciary Committee,
Washington, DC.

DEAR CONGRESSMAN SCHUMER: I am the widow of John Binning Cummock, a 38 yr. old American father of three, who was killed by terrorist, abroad Pan Am 103 over Lockerbie Scotland. Additionally, I am the Vice President of the Pan Am 103 Families group representing over 180 next-of-kin. I am writing in support of HR 2703 substitute for HR 1710. I feel that this current legislation is the most comprehensive and proactive approach to protect Americans from terrorism that I have seen come out of Congress in the last seven years.

After the bombing of the Murrah building in Oklahoma City, Congress vowed to get tough and pass this legislation by Memorial Day '95. Quick progress was made on the Senate side but sadly the House seems to have come to a screeching halt on debating this bill. Now that the media focus has faded from the Oklahoma City bombing, my fear is that Congress will recess before enacting this badly needed legislation. It is imperative that Congress does not forget its responsibility, not only to protect the American people, but to support the law enforcement agencies who are trying to respond to the escalating and changing threats.

In less than seven years, I have looked into the faces of hundreds of American families that have been devastated by terrorism, after the bombing of Pan Am 103, the World Trade Center and most recently after spending 11 days in Oklahoma City under the sponsorship of the American Red Cross. I know all to well what they have been sentenced to live with under the current system. We owe it to our children and to future generations to be able to live in a safe and secure America. American children must now grow up feeling like they are walking targets to potential terrorist attacks, both domestically and internationally. Unfortunately, the children of the victims of terrorism remember all too well the questions of who is protecting them and where is justice? Let us not afford more consideration and rights to illegal aliens, felons or potential terrorists, than we do to our children who daily pledge allegiance to the American flag.

Specifically, for the Pan Am 103 families the FSIA Amendment within Section 804 is of particular importance. This will provide victims of terrorism an avenue to pursue terrorist sponsoring Nations, where none existed before, by waiving Sovereign Immunity for specific acts of terrorism against American. Clearly, history has shown that the current system, of diplomacy takes decades and only serves to re-victimize the victims' families by providing little or no remedy. In our case, as the KAL 007 flight which occurred over 12 years ago, no progress is in sight. A failure to achieve swift and adequate resolution only to continues the emotional pain, and anguish of the families especially the children. Victims' families are not entitled to access the mental health and other areas of support currently available to other American victims of violent crimes. Hence, America turns its back on the families of those who made the ultimate sacrifice for being Americans. To potentially receive compensation after 40 years can not buy back my children's childhood, especially if they have been too traumatized to be able to learn how to read or sleep through the night.

I hope that we can count on your full support when this bill is placed for a vote. I can be reached at (305) 667-7218 or Skypage 1 (800)

592-8770. My hope is that it will not take another incident to refocus Washington's priorities on counter-terrorism, and other Americans can be spared our fate. Thank you very much for your consideration.

Sincerely,

M. VICTORIA CUMMOCK,
V.P. Pam Am 103 Lockerbie,
Widow of John B. Cummock.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996 *****\$1x—ContinuedE 2417

SPEECH OF

HON. STEVE GUNDERSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 1995

Mr. GUNDERSON. Mr. Speaker, at the outset, I want to make clear that I see many good facets to this bill. However, I call attention to a portion of it, on the consequences of an HIV-positive test result, that was not debated in the House, primarily because many of us believed that it would be removed by the Senate. The President has suggested that he will veto this bill. If he does and this chamber has another opportunity to consider it, it is essential that we directly address and debate the issue of HIV testing and test results in the military.

We should be aware that section 561 of this bill—section 567 of the Conference Report—provides that any member of the military who is determined through testing to be HIV-positive be automatically dismissed. Specifically, this section requires the Secretary of Defense to separate or retire service members who test HIV-positive within 6 months of their positive test. This requirement represents a serious public policy and public health problem that should not become law in this country.

The issue is not simply testing for HIV because I believe there are appropriate public health reasons and goals for such testing. For example, I have worked very closely with other Members, both Republicans and Democrats, including the gentleman from Oklahoma [Mr. COBURN], and others, on the issue of mandatory testing of infants as part of the reauthorization of the Ryan White CARE Act. Many advances in the treatment of HIV disease have been developed and are becoming increasingly available; this is a positive situation that did not exist previously. HIV testing, if done appropriately and sensitively, should lead individuals who test positive to seek treatment and care. Effective treatments ultimately may lead to a cure for HIV disease. If testing leads to treatment and to a cure, then all of us ought to support it. Under these circumstances, we should encourage testing for every element of American society. Testing is currently one of the most important means of HIV prevention that exists.

But, when mandatory testing leads to mandatory job discrimination, we send a signal to everyone in American society not to get tested. That is, we send precisely the opposite message than we really want to send. The mandatory discharge specified in this bill occurs regardless of the HIV-positive individual's health and fitness and despite the fact that people continue to work productively for several years after being infected with HIV. We should not presume that a positive HIV test automatically means an inability to effectively

carry out duties or to engage in productive work. Yet, this presumption seems to underlie the mandatory discharge provision in this bill.

The mandatory discharge specified in this bill also singles out HIV disease from other medical conditions. It treats military personnel who test HIV-positive differently than personnel with other diseases or conditions. In this sense, then, section 561 is blatantly discriminatory. The issue becomes one of HIV status rather than health status and the ability to carry out duties.

If we allow this provision to remain, furthermore, we likely set ourselves on a slippery slope to continuing and increasing discrimination. Today it is the military, tomorrow it will be military contractors, and the next day it will be all of the independent private sector. We have to change this provision before this bill becomes law. We should not encourage, and certainly not legislate, discrimination against any American citizen.

The provision for mandatory discharge of members of the armed forces who test HIV-positive should not be in this bill. Instead, we should encourage HIV testing in a context in which individuals can and will seek out effective treatments. These treatments may extend their lives, allow them to continue to work productively, and one day, produce a cure for HIV disease. Individuals who seek or are tested for HIV should not be punished for their test results. The positive elements of this bill aside, therefore, I urge my colleagues to oppose this Department of Defense authorization bill conference report.

ENGLISH: LANGUAGE OF OPPORTUNITY I

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HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 19, 1995

Mr. EMERSON. Mr. Speaker, I rise today in order to share with the Members of this distinguished body and the good people of this country an account which reveals a great deal about legislation which I have introduced to establish English as the official language of the Federal Government. I have my good friend Mr. Tommy Macchiaroli to thank for passing along this story to me, and I am pleased to now present it to you.

As you know, I have been a principal sponsor of legislation to establish English as the official language of the Federal Government since the 101st Congress. I have studied the official English issue at length and have explored its tremendous potential to contribute to the well-being and prosperity of this country. However, even though I have become very familiar with the comprehensive reports, the historical lessons, and the compelling logic which confirm the need for this kind of legislation, I am still struck by the experiences and straightforward wisdom of folks who have visited the question of a common language on the most personal of levels. Anthony Macchiaroli, an immigrant from Italy, is one of these individuals, and it is his inspiring story that I would like to relate to you today.

It is my hope that we will learn from the dedication, the workmanlike approach, and the ultimate success of this proud American. His example tells us quite a bit about the economics of official English legislation, demonstrating

the new members of this great democracy must have use of the English language in order to get ahead and become fully productive citizens. It is clear from the experience of Mr. Macchiaroli that the linguistic welfare of multilingual government is nothing short of a handicap to individuals entering our country. Regrettably, the handicap of multilingual government affects all Americans, resulting in severe social and monetary costs. I commend to you the story of Mr. Macchiaroli, as it appeared in an article in the Pittsburgh Post-Gazette on September 3 of this year.

I WORKED HARD—BUT IT NEVER HURT ME

Tomorrow we pause to pay tribute to the workers who built this country. Many of those workers were immigrants, who came to America seeking a better life.

Anthony J. Macchiaroli is such a worker. The 60-year-old North Versailles resident quietly operates his New Eastland Mall store Valley Shoe Repair, where soles are mended Italian style—by hand.

"Tony," who came to the United States from Salerno, Italy, in 1953, says hard work has kept him in business at the mall since 1963.

Macchiaroli stepped off a boat in New York at age 17 with 35 cents. He went to live with an aunt and uncle in East Pittsburgh, and later opened a shoe repair shop, got married, and was able to send his two children to college. One of his sons is a physician in Johnstown, the other an electrical engineer in Florida.

He doesn't plant to retire but says instead he'll shorten his work week in coming years. "I really enjoy what I'm doing," he says. "I don't think I'll ever retire because I do enjoy talking to the people, and my customers need me too. It's a lost art—fixing America was a dream. It was like I could never come here. I used to pray a lot to God to let me see that I could go to America. My uncle and aunt used to send me letters with stamps of the Statue of Liberty on them. Whenever I'd get those letters, I'd wonder if I'd ever really get to see her."

I've been here 42 years, and America has been good to me. If you have ambition, you can do anything here. It truly is the land of opportunity—believe me. If people set a goal here, they can achieve it.

I came to America March 10, 1953. I was not quite 18 yet and was an orphan. My father died when I was 17 months old and my mother died when I was 3½. Before she died, my mother had written to her brother in Pittsburgh and said, "If anything happens to me, I'd like my son to come to America near you." I still have that letter today. She died in a hospital in Naples, and left me in a convent with nuns until my father's sister could take me out. She raised me until I came to the United States.

I wanted to come here because it was a new land and I had heard so much about the

country, that it was so great. But it wasn't like today where you can come right away or come as a tourist. You had to wait. Three times my papers expired before I could go. Finally my uncle and aunt, Vito and Anna Parente, were able to get me. They had to guarantee me a house and job, and they didn't have a house themselves and had to buy one because of me. It was almost like they were adopting me. I'll never forget them, that's for sure.

In the small towns like Bellosguardo in Salerno, where I grew up, you always learn a trade. I had bad feet from an accident where I was burned as a baby, so I wanted to be a shoemaker. In Italy, you sit while working as a shoemaker, but here you do the work standing up.

My first job here was in Homestead with a shoemaker. I got \$8 a day, six days a week, 12 hours a day. My boss justified my wage by saying, "You can't talk English and you can't run the machines." We made all hand-made shoes in Italy, so I didn't know how to operate the machines. But here I could still rip shoes apart, wash windows, shine shoes. . . I worked hard—but it never hurt me. I learned a lot.

Five years later, I opened my own shoe repair business in the Great Valley Shopping Center. I was there five years and moved to the Eastland Mall in 1963 when it was being built, and I've been here ever since.

I had difficult time at first because I couldn't speak English. But people were wonderful to me, I went to night school for five years to learn to speak English. I can read good English, but I still can't write good.

In 1957, I went to the hospital to have surgery I met a nice girl, a student nurse Rosemarie Billey, from United, near Mount Pleasant. And there was my fortune.

We got married in 1959 and had two sons. In 1969 I brought her and my children back to my hometown and traveled through Italy for three weeks. While we were there, my wife asked me if I ever wanted to go back there to live. I said, "No, No way." I'll never forget that I was born there, but America is my country now, and I'll fight for it.

In America there is so much opportunity. It seems everything I wanted came true. I wanted to get married, have a family and educate my children, and I did. I'm very appreciative. If I die tomorrow, I'll die a happy man.

THANK YOU, GERALD L. BOOMS

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 19, 1995

Mr. BARCIA. Mr. Speaker, the education of our young people is most vital if our Nation is

to continue its history of accomplishment into the future. And nothing is more vital to education than the people who are dedicated to providing the type of services that are essential to the successful operation of our schools. Ugly Community Schools has been blessed over the past 33 years with the committed service of Gerald L. Booms. He is being recognized on December 27 for his generous service to the young people of his community at a retirement dinner.

Gerald Booms started as a bus driver in 1962, which he continued until 1972. He also worked as a part-time custodian, making sure that not only would students arrive at school safely, but they also would have a safe and well-tended school to attend. For the last 20 years, he has served as director of transportation for Ugly Schools, again overseeing the effective operation of this system.

During his time with Ugly Schools, Gerald Booms has remained involved with several other activities. He has been a member of the Michigan Association of Pupil Transportation, serving as a regional representative for 10 years. He also holds membership in the Ugly Community Club.

He has been very involved with his religious convictions as a member of St. Mary Catholic Church of Parisville, and its men's club. He also was president of its parish council. He is a member of St. John the Evangelist Catholic Church of Ugly, and the Ruth Knights of Columbus Council No. 3823.

Gerald and his wife, Georgeann know the importance of education to young people, being the proud parents of 7 of their own children, and the grandparents of 21 children. He has taken the care that he has for his own family, and extended it to the other children of his community who have benefited from safe transport to and from school.

Mr. Speaker, we need to remember and honor those who make it possible for our young people to receive the education they deserve and that our Nation needs. Gerald L. Booms has earned our thanks for his years of service. I urge you and all of our colleagues to join me in thanking him for his career of caring, and wish him and his family the very best in retirement.